

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TW Dept., - LTR - **Smt.Challa Nooka Raju, W/o. Rama Rao** (Non-tribe) R/o Lagarai (V), Rajavommangi (M), East Godavari District - Revision Petition filed under the provisions of A.P.S.A.L.T.R.1959 as amended by 1/70 - Land admeasuring Ac. 3.46 cts in Sy.No.69/1 of Lagarai (V), Rajavommangi (M), East Godavari District - Dismissed - Orders - issued.

SOCIAL WELFARE (TW.LTR.2) DEPARTMENT

G.O.Ms.No. 2

Dated: 24.01.2022

Read the following:-

1. LTR.No.122/02, orders issued by the Special Deputy Collector, Rampachodavaram, East Godavari District, dated 31.07.2002 on the petition filed by Special Deputy Tahasildar, Rajavommangi (M), East Godavari District.
2. C.M.A.No.18/2003, orders issued by the P.O., ITDA/Addl. Agent to Govt., Rampachodavaram, East Godavari District, dated 28.02.2004 on the appeal filed by Smt.Challa Nooka Raju, W/o Rama Rao, R/o Lagarai (V), Rajavommangi (M), East Godavari District.
3. Revision Petition filed by Smt. Challa Nooka Raju, W/o Rama Rao, R/o Lagarai (V), Rajavommangi (M), East Godavari District, dt.05.09.2005.
4. Govt.Memo.No.1311/LTR-2/2006-1, dated. 17.06.2006.
5. From the P.O., ITDA, Rampachodavaram, East Godavari District, dated: 04.01.2013.
6. Govt. Lr. No. 15026 / 42 / LTR-2 /2018, dated. 23.10.2018, 30.01.2019, 16.11.2020, 09.07.2021 and 16.08.2021.

ORDER:

1. The Special Deputy Tahsildar (TW), Rajavommangi filed a complaint before the Special Deputy Collector, Rampachodavaram, East Godavari District, under Section 3 (1) of the APSALTR 1 of 1959 as amended by Regulation 1 of 1970 for restoration of the Petition Scheduled land in favour of the Government after ejecting the respondents in East Godavari District.

2. After examination of the said petition, the Special Deputy Collector, Rampachodavaram, East Godavari District have issued dismissal orders vide LTRP.No.122/2002, dated: 31.07.2002 on the complaint filed by the Special Deputy Tahasildar, Rajavommangi (M), East Godavari District under section 3 (1) of the Andhra Pradesh State Area Land Transfer Regulation Act 1/1959, as amended by the Regulation 1 of 1970 for restoration of the Petition Scheduled land Ac. 3.46 cts in Sy.No.69/1 of Lagarai (V), Rajavommangi (M), East Godavari District from the non-tribal Respondent i.e. Smt.Challa Nooka Raju, W/o Rama Rao.

3. Aggrieved by the above orders, Smt.Challa Nooka Raju, W/o Rama Rao R/o. Lagarai (V), Rajavommangi (M), East Godavari District have filed an appeal petition before the Project Officer, ITDA / Additional Agent to Government, Rampachodavaram, East Godavari District under Rule 8(2) of AP Scheduled Areas Land Transfer Rules 1/1969.

(P.T.O)

-2-

4. In the reference 2nd read above, the Project Officer, ITDA / Additional Agent to Government, Rampachodavaram, East Godavari District being the lower appellate authority in C.M.A.No. 18/2004, dated. 28.02.2004 has disallowed the appeal by upholding the orders of the Special Deputy Collector, Rampachodavaram, East Godavari District issued in LTRP.No.122/2002, dated: 31.07.2002 and confirmed the right of the Government over the land measuring Ac. 3.46 cts in Sy.No.69/1 of Lagarai (V), Rajavommangi (M), East Godavari District.

5. In the reference 3rd read above, Smt. Challa Nooka Raju, W/o Rama Rao R/o Lagarai (V), Rajavommangi (M), East Godavari District have filed a Revision Petition for the land located in Pedabeempalli (V), Devipatnam (M), East Godavari District to the land adm. Ac. 3.46 cts in Sy.No.69/1 of Lagarai (V), Rajavommangi (M), East Godavari District before the Government under the provisions of A.P.S.A.L.T.R., 1959 as amended by 1/1970 against the orders passed by the Project Officer, ITDA/Additional Agent to Government, Rampachodavaram, East Godavari District in C.M.A.No. 18/2004, dated. 28.02.2004 in the 2nd read above.

6. After examining the Revision Petition filed by Smt.Challa Nooka Raju W/o Rama Rao, R/o Lagarai (V), Rajavommangi (M), East Godavari District, Government while admitting the same have called for parawise remarks along with the connected case records from the P.O., ITDA, Rampachodavaram, East Godavari District in the reference 4th read above.

7. The Addl. Agent to Govt. (P.O., I.T.D.A.), Rampachodavaram, East Godavari District have furnished the parawise remarks along with the connected case records on 04.01.2013 vide reference 5th read above.

8. In the reference 6th read above, both the parties and their councils were called for the hearings. The Special Deputy Collector, Rampachodavaram and the Council for the petitioner have attended the hearings conducted by the Appellate Authority on 03.11.2018, 09.02.2019, 28.11.2020, 24.07.2021 and 23.08.2021 and upon perusing the records/ evidences/ grounds filed by the Revision Petitioners, the Appellant Authority have come to the conclusion and opined/ observed that:

- During the course of hearing of the case that the revision petitioner legal heirs advanced arguments and on verification of the documents and the grounds of revision and Para wise remarks as well as the other documents and material available on the record it is noticed that lower primary authority and lower appellant authority observed that the revision petitioner failed to produce any document in support of her claim of possession of the land as per the regulations.
- It is observed that as seen from the record that the revision petitioner failed to produce any document in support of the claim of the revision petitioner and failed to discharge the burden as per regulations.
- That taking consideration of the above and the material available on the record that it can be concluded that the lower primary authority and lower appellant authority passed the order as per law which does not deserve any interference and accordingly the same is hereby upheld and the revision petition is hereby dismissed.

9. After careful examination of the Revision Petition, Government in exercise of the powers u/s 3(2) (a) of APSALTR 1/59 as amended by 1/70 do hereby order for ejection of respondent from Petition Scheduled Land and for restoration of the same to the Government for on-ward assignment to the eligible tribes.

-3-

10. The Collector & District Magistrate, East Godavari District, Kakinada is requested to take necessary action in the matter accordingly and **acknowledge the receipt of the case records, which are returned herewith.**

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KANTILAL DANDE
SECRETARY TO GOVERNMENT (TW)

To

The Collector & District Magistrate, East Godavari District, Kakinada,
PIN 533001. (w.e)

The Additional Agent to Govt. cum Project Officer, ITDA, Rampachodavaram,
East Godavari District. PIN-533288.

The Special Deputy Collector, Rampachodavaram, East Godavari District.
PIN-533288.

The Tahsildar, Rajavommangi (M), East Godavari District. PIN-533436

Sri K. Venkatesh, 806, Walnut, Raintree Aptment, Chinna Kakani, Mangalagiri,
Guntur District-(9849335650)

Sri Kola Satyaprasad, Sri G. Prabhudas Kumar, Advocates,
Rampachodavaram, East Godavari District - 533288

Smt. Challa Nooka Raju, W/o. Rama Rao, R/o. Lagarai (V),
Rajavommangi (M), East Godavari District. PIN - 533436.

Copy to:

The P.S. to Hon'ble Dy. Chief Minister (TW)

The P.S. to Secretary (TW)

SF/SC.

// FORWARDED : : BY ORDER //

SECTION OFFICER